

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: REAL PROPERTY TAX SERVICES

DATE: MAY 27, 2010

COMMITTEE MEMBERS PRESENT: OTHERS PRESENT:

| | | |
|-------------|-----------|------------------------------------------------------------|
| SUPERVISORS | GOODSPEED | MICHAEL SWAN, DIRECTOR, REAL PROPERTY TAX SERVICES |
| | BENTLEY | PAUL DUSEK, COUNTY ATTORNEY/COMMISSIONER OF ADMINISTRATIVE |
| | THOMAS | & FISCAL SERVICES |
| | MERLINO | JOAN SADY, CLERK OF THE BOARD |
| | STEC | KEVIN GERAGHTY, BUDGET OFFICER |
| | MCDEVITT | SUPERVISORS CHAMPAGNE |

COMMITTEE MEMBER ABSENT:

SUPERVISOR GIRARD

CONOVER
KENNY
LOEB
MCCOY
TAYLOR
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *THE ADIRONDACK JOURNAL*
JOANNE COLLINS, LEGISLATIVE OFFICE SPECIALIST

Mr. Goodspeed called the meeting of the Real Property Tax Services Committee to order at 10:10 a.m.

Motion was made by Mr. Bentley, seconded by Mr. Stec and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Michael Swan, Director of RPTS (Real Property Tax Services) who distributed copies of the agenda to the Committee members; a copy of the agenda is on file with the minutes.

Mr. Swan stated there were no corrections from the Treasurer's Office for this month.

Mr. Swan requested authorization to receive credit card payments for payment of current and outstanding taxes, with an option to establish installment payments for current taxes. He said the City of Glens Falls had a similar process which had been in place for several years. He explained the installment payment process would allow the taxpayer to pay half of the January property tax bill in January and the balance in June without receiving an interest penalty. He advised if the County decided to allow installment payments for current taxes they would still need to allocate the full amount due to the Towns in April. He noted the previous County Treasurer had been opposed to an installment payment option. In answer to a question, Mr. Swan responded 45% of the properties in Warren County were in some type of escrow account, which meant the full tax bill would be paid in January. Of the remaining 55% of the properties, Mr. Swan estimated half the taxpayers would take advantage of an installment payment plan.

Mr. Goodspeed asked the percentage of New York State Counties which were offering an installment payment plan and Mr. Swan responded approximately 30%. Mr. Goodspeed said he was curious if the experience of those counties was that more taxpayers took advantage

of the installment payment plan in order to avoid the foreclosure process. Mr. Merlino questioned the need to divide the tax bill into two payments if it was being charged to a credit card, which would allow the taxpayer to make monthly payments. Mr. Swan explained many taxpayers had inquired as to why the County did not have an installment payment plan or allow tax bill payments by credit card.

Mr. Goodspeed inquired as to the County Treasurer's opinion on an increase in workload and Mr. Swan responded it had been prohibitive in the past due to available staff for collection of the June payments. Mr. Swan explained payments made in January were made at the Town but June payments would need to be processed by the County Treasurer's Office. Mr. Goodspeed asked how the County Treasurer felt about credit card payments and Mr. Swan responded past resistance to the concept had been due to the 2.5% surcharge but the counties who were accepting credit card payments added the surcharge to the customers credit card payment.

Mr. Champagne questioned why the Towns could not collect the June payments and Mr. Swan responded it was because the County had already paid the Towns in April. Mr. Champagne commented the Towns could still collect the tax payments and issue checks to the County for the amount due. Mr. Strainer questioned the legality of charging the taxpayers for the credit card surcharge and Mr. Swan replied it was the practice used by the other counties who accepted credit card payments. Mr. McDevitt apprised State Law prohibited businesses from charging a fee to accept credit card payments and he questioned if there was an exception for government and municipalities. Mr. Strainer voiced his opinion that accepting credit card payments was encouraging further debt for the taxpayers. Mr. Stec noted by the end of the year the Town of Queensbury would be able to accept credit card payments for any payments made to the Town. Mr. Strainer asked if the Town of Queensbury would pay the surcharge and Mr. Stec responded legally a municipality could not pay the surcharge so it was necessary to pass the surcharge onto the taxpayer.

Following a brief discussion, motion was made by Mr. Thomas, seconded by Mr. McDevitt and carried unanimously to authorize the acceptance of credit card payments for property taxes, contingent on confirmation the surcharge can be charged to the taxpayer in a form approved by the County Attorney. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the June 18, 2010 Board meeting.*

Mr. Goodspeed stated the Committee could discuss the option of installment payments with the County Treasurer at the next meeting.

Mr. Swan said he had been asked to request an amendment to the Terms of Sale for the County Land Auction which currently required a 10% deposit of the highest bid. He added the amendment would require that properties purchased for under \$500 or possibly under \$1,000 be paid in full at the Auction. He advised the 10% deposit on lower value properties was creating more paperwork than necessary. Mr. Merlino agreed the lower value bids should be paid in full at the Auction and he suggested they amend the Terms of Sales to require payment in full for properties purchased for less than \$1,000. He said sometimes people placed a bid on the lower value properties sight unseen and later decided they did not want the property. Mr. Kenny asked what happened to the deposits of people who later changed their decision to purchase the property and Mr. Swan responded deposits and payments made at the Auction were not refundable.

Motion was made by Mr. Merlino, seconded by Mr. Stec and carried unanimously to amend Resolution No. 360 of 2010, which amended Resolution No. 506 of 2007) relating to the Terms of Sales for the County Land Auction to state that payment in full was due on the day of the Auction on sales of \$1,000 or less. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the June 18, 2010 Board meeting.*

Mr. Swan apprised a copy of the 2010 Petition for Foreclosure was attached to the agenda packet. He added Notices of Foreclosure had been sent to each property owner listed as well as anyone who had an interest in the property. He noted the list only included foreclosure properties for the Towns as the City of Glens Falls handled their own foreclosures. He said there were approximately 500 parcels on the 2010 Petition for Foreclosure, 110 of which were single family dwellings. He advised it had been approximately eight years since the County had foreclosed upon a house in which there was a current occupant. Mr. Merlino referred to a property owner who had paid the property tax for the current year but still owed taxes from 2007 and 2008. Mr. Swan explained the Uniform Enforcement Act was passed in 1995 and required the property taxes for the most current year to be paid first. He noted the County had passed resolutions requesting the law be changed to allow older taxes to be paid first thereby decreasing the number of properties in foreclosure. Brief discussion ensued.

Mr. Swan pointed out there were a few large motel and hotel properties on the foreclosure list.

As there was no further business to come before the Real Property Tax Services Committee, on motion by Mr. Bentley and seconded by Mr. McDevitt, Mr. Goodspeed adjourned the meeting at 10:32 a.m.

Respectfully submitted,
Joanne Collins, Legislative Office Specialist
As typed by Charlene DiResta, Sr. Legislative Office Specialist